

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 22-cv-23346-BLOOM/Torres

AM CRESPI MIAMI, LLC,

Plaintiff,

v.

CENTURY SURETY COMPANY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE is before the Court upon Defendant Century Surety Company's Amended Motion for Attorney's Fees and Non-Taxable Costs, ECF No. [58] ("Motion"), and Bill of Costs, ECF Nos. [60] – [61]. The Court previously referred the Motion to Chief Magistrate Judge Edwin G. Torres for a Report and Recommendation. *See* ECF No. [62]. On May 28, 2024, Chief Magistrate Judge Torres issued a Report and Recommendation, ECF No. [63] ("R&R"), recommending that Defendant's Motion be granted, and Defendant's Bill of Costs be granted in part and denied in part. The R&R advised the Parties that objections to the R&R must be filed within fourteen (14) days of the R&R. *Id.* at 15. To date, neither Party has filed objections nor sought additional time to file objections. The Court has, nonetheless, conducted a de novo review of the R&R and the record and is otherwise fully advised in the premises. *See Williams v. McNeil*, 557 F.3d 1287, 1291 (11th Cir. 2009) (citing 28 U.S.C. § 636(b)(1)).

Upon review, the Court finds Chief Magistrate Judge Torres' R&R to be well reasoned and correct. The Court agrees with the analysis in the R&R and concludes that for the reasons set forth therein, Defendant's Motion is granted, and Defendant's Bill of Costs is granted in part and denied in part.

Accordingly, it is **ORDERED** and **ADJUDGED** as follows:

1. The R&R, **ECF No. [63]**, is **ADOPTED**;
2. Defendant's Motion for Attorney's Fees and Non-Taxable Costs, **ECF No. [58]**, is **GRANTED**. Defendant is awarded **\$77,087.50** in attorney's fees.
3. Defendant's Bill of Costs, **ECF No. [60] – [61]**, is **GRANTED in part and DENIED in part**. Defendant is awarded **\$12,969.00** in costs for expert witness fees under Fla. Stat. § 768.79 and **\$2,493.76** in costs under 28 U.S.C. § 1920 plus post-judgment interest at an annual rate of 5.44%.
4. To the extent not otherwise disposed of, any scheduled hearings are **CANCELED**, all pending motions are **DENIED AS MOOT**, and all deadlines are **TERMINATED**.
5. This case shall remain **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida, on June 12, 2024.

A handwritten signature in black ink, appearing to be 'JB' or similar, written over a horizontal line.

BETH BLOOM
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record